

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JAN 17 2024

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In the Matter of: DONALD CHARLES
SCHWARTZ,

Debtor,

DONALD CHARLES SCHWARTZ,

Appellant,

v.

BANK OF NEW YORK MELLON,
FKA Bank of New York,

Appellee.

No. 22-15201

D.C. No. 3:20-cv-07680-VC
U.S. District Court for Northern
California, San Francisco

ORDER

A review of the docket demonstrates that counsel has failed to file the opening brief in this case.

Pursuant to Ninth Circuit Rule 42-1, this appeal is dismissed for failure to prosecute. Counsel for appellant is directed to notify his/her client immediately in writing regarding this dismissal.

This order served on the district court shall, 21 days after the date of the order, act as the mandate of this court.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT